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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/327, 766 06/07/99 ELLMAN

N SYMA1039MCF/

TM02/0911

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 EXAMINER

PART OF T	
ART UNIT	

2171

DATE MAILED:

09/11/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Action Summary

Application No. 09/327,766	Applicant(s) Ellman et al.
Examiner Thuy Pardo	Art Unit 2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on Jun 7, 1999.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-30 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) All b) Some* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) Notice of References Cited (PTO-892)
- 16) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) Information Disclosure Statement(s) (PTO-1449) Paper No(s). 05
- 18) Interview Summary (PTO-413) Paper No(s). _____
- 19) Notice of Informal Patent Application (PTO-152)
- 20) Other: _____

1. Claims 1-30 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 37 1© of this title before the invention thereof by the applicant for patent.

3. Claims 1-~~30~~ are rejected under 35 U.S.C. § 102(e) as being anticipated by **Mosher, Jr.** patent no. 5,745,753.
4. As to claim 1, Mosher teaches the invention substantially as claimed, comprising the steps of generating a work monitor log [140 of fig. 1] on the home computer containing file path names [trail files, col. 11, lines 22-40; fig. 8D] in system corresponding to file activities within the home computer [monitor changes made to files in the local system, col. 1, lines 41-44]; and synchronizing files on the home computer corresponding to the file path names in the work monitor log with corresponding files of the office computer [maintains synchronization of the remote database with the local database, ab].
5. As to claims 11 and 21, they are similar to claim 1; therefore, they are rejected under the same rationale.

6. As to claims 2, 12, and 22, Mosher teaches the invention substantially as claimed. Mosher further teaches that the corresponding files of the office computer comprise files of the office computer corresponding to the file path names in the work monitor log [col. 11, lines 22-40; fig. 8D].
7. As to claims 3, 13, and 23, Mosher teaches the invention substantially as claimed. Mosher further teaches that the synchronizing step is performed on one or more selected file path names [col. 11, lines 28-34; fig. 8D].
8. As to claims 4, 14, and 24, Mosher teaches the invention substantially as claimed. Mosher further teaches that the synchronizing step comprises the steps of comparing a date and time of a file on the home computer corresponding to a selected file path name to a date and time of a corresponding file on the office computer [time stamp, fig. 5A, 6E, 8F]; and overwriting an older of the file on the home computer corresponding to the selected path name and the corresponding file on the office computer with a newer of the file on the home computer corresponding to the selected path name and the corresponding file on the office computer [fig. 6D-E].
9. As to claims 5, 15, and 25, Mosher teaches the invention substantially as claimed. Mosher further teaches that file activities comprise file accesses [col. 15, lines 31-48; fig. 7C].

10. As to claims 6, 16, and 26, Mosher teaches the invention substantially as claimed. Mosher further teaches that file activities comprise file modifications [col. 10, lines 40-57].
11. As to claims 7, 17, and 27, Mosher teaches the invention substantially as claimed. Mosher further teaches logging each file activity; and removing each log entry which has been in the work monitor log for a predetermined period of time [col. 18, lines 6-14].
12. As to claims 8, 18, and 28, Mosher teaches the invention substantially as claimed. Mosher further teaches logging each file activity when a user has selected to have a work monitor feature enabled [fig. 6B-10D].
13. As to claims 9, 19, and 29, Mosher teaches the invention substantially as claimed. Mosher further teaches that the synchronizing step is performed in response to the user selecting to update [col. 12, lines 8-17].
14. As to claims 10, 20, and 30, Mosher teaches the invention substantially as claimed. Mosher further teaches that only files corresponding to file activities for the current day are synchronized in the synchronizing step [col. 13, lines 24-61].
15. Further references of interest are cited on Form PTO-892 which is an attachment to this office action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo, whose telephone number is (703) 305-1091. The examiner can normally be reached Monday through Thursday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black, can be reached at (703) 305-9707.

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The fax phone number for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238 (After Final Communication)

(703) 746-7239 (Official Communication)

(703) 746-7240 (For Status inquiries, draft communication)

and/or:

(703) 746-5616 (*Use this Fax#, only after approval by Examiner, for "INFORMAL" or "Draft" communication. Examiner may request that a formal/amendment be faxed directly to then on occasions.*)

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

17. **Any response to this action should be mailed to:**

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Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-5359, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA.,
Sixth Floor (Receptionist).


Thuy Pardo
September 07, 2001


WAYNE AMSBURY
PRIMARY PATENT EXAMINER